

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRETT T. CULVER

Plaintiff,

Plaintiff's
First Set Of
Interrogatories

FILED

HARRISBURG, PA Case No. 1:01-cv-00904

SEP - 8 2003

(Judge Kane)

T. E. MIKINICH

et al.,

Defendants.

MARY E. D'AMOREA, Clerk
Per _____
Deputy Clerk

In accordance with Rule 33 of the Federal Rules of Civil Procedures, Plaintiff Brett T. Culver requests that Defendant T. E. Mikinich answer the following interrogatories separately and fully in writing under oath, and that the answers be signed by the person making them, and be served on plaintiff within 45 days of service hereof.

In responding to these interrogatories, furnish all information which is available to you, including information in the possession of your attorneys or investigators for your attorneys, and not merely information known of your own personal knowledge.

If you cannot answer the following interrogatories in full, after exercising due diligence to secure the information to do so, so state, and answer to the extent possible, specifying your inability to answer the remainder, and stating whatever information or knowledge you have concerning the unanswered portions.

These interrogatories shall be deemed continuing so as to require supplemental answers as new, unanswered, and different information materializes.

1. What is your full name and address?
2. Have you been employed as a D.O.C. employee during the time period of December 1999 through February 2002?
3. On the following date of April 13, 2000 did you seize and remove from plaintiff personal property, namely, legal documents?
4. If yes to # 3, what were your reasons for seizing plaintiffs legal documents?
5. Describe what violations you observed by the plaintiff which caused you to detain plaintiff, conduct two body searches on his person, and subsequently seize the plaintiffs personal property of legal documents/records.
6. On the day of 04-13-00, were you instructed by anyone to intercept, detain, or search the plaintiff as he left the Institution Library in rout to D-B Housing Unit?

7. If yes to # 6, cite name of any person who advised or instructed the action taken, and explain what instructions were given to you pertaining to the action taken, or concerning the plaintiff.
8. Did you view and inventory the legal documents seized from plaintiff?
9. Explain the reason you retained the legal documents and denied the return of the plaintiff's personal property of legal documents/records.
10. Did you in any way document the seizure or the seized items, namely the personal property of legal documents and records belonging to the plaintiff?
11. What did you do with the plaintiff's personal property, namely the legal documents and records seized by your person on the date of 04-13-00?
12. Cite names, badge or identification number of any person whom were present at the incident time of seizure or time of plaintiff's detainment during incident, and/or each person knowledgeable of the detainment/seizure/incident, including any and all persons present at any time during incident of 04-13-00 who did, or might have viewed the items seized from the plaintiff by your person.
13. Cite names, badge or identification number of any person whom you turned the plaintiff's property over to, namely the seized legal documents/records of incident 04-13-00, including the date and time the seized legal documents/records belonging to plaintiff were turned over to said persons responsibility.
14. At any time during your employment by the D.O.C. have you ever been cited, reprimanded, investigated, re-assigned or re-located pursuant to reports, complaints, incidents, altercations, or instances of allegations or violations and/or misconduct in relationship to treatment or actions reported/filed by other persons (alleged, confirmed, or dismissed)?
15. If yes to # 13, cite dates and describe subject matter or instance of violation and/or misconduct you were cited, reported for, or accused of.
16. To your knowledge, do you or any other employees have knowledge of any item mentioned or described herein being altered (including statements, reports, documents), lost, or destroyed?
17. If yes to # 13,
 - (a) Explain;
 - (b) Cite instances, items, dates;
 - (c) Cite names and addresses of any persons involved or who have knowledge relevant to the events or subject matter described in either Civil Action 1:01-cv-00904 or these interrogatories.

Dated and served: 09-24-03

by [Signature]

CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of each of the forgoing:
"PLAINTIFF'S FIRST SET OF INTERROGATORIES" (Defendants' Vincent Mooney and
T.E. Miknich) was sent, this date of 9-02-03, by First Class United States Mail to:

U.S. District Court
Clerk of Courts
228 Walnut Street
P.O. Box 983
Harrisburg, PA. 17108

Dated: 09-02-03


Brett T. Culver

NAME Brett Culver
NUMBER DD3483

301 MOREA ROAD
FRACKVILLE, PA 17932

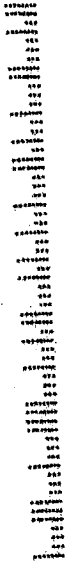
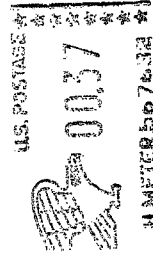
INMATE MAIL
PA DEPT. OF
CORRECTIONS

FILED
HARRISBURG, PA

SEP 8 2003

MARY E. DIANDREA, CLERK
Per [Signature] Deputy Clerk

*District Court
Clerk of Courts
228 Walnut Street
P.O. Box 983
Harrisburg, PA. 17108*



1710849983